REMARKS

Claims 1, 2, 4, 6-13, 15-22, 24, 26-33, and 35-37 were pending and stand rejected. Applicants thank the Examiner for examination of the claims pending in this application and address her comments below.

Claim 9 has been amended and claim 10 canceled herein. No claims are added.

In view of the Amendments herein and the Remarks that follow, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Rejections under 35 U.S.C. § 103

In a first group of rejections, claims 1-2, 4, 6-11, 15-22, 24, 26-31, and 35-37 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Travis, U.S. Patent Application No. 2004/0215607, in view of Emens, U.S. Patent No. 6,745,178. Furthermore, claims 12-13 and 32-33 are rejected under § 103(a) as allegedly being unpatentable over Travis in view of Emens, and further in view of Petropoulos, U.S. Patent No. 7,047,502. In a second, alternative group of rejections, claims 1-2, 4, 6-11, 15-22, 24, 26-31, and 35-37 are rejected on page 8 of the Office Action under § 103(a) as allegedly being unpatentable over Travis in view of Denny, U.S. Patent No. 7,082,428, and claims 12-13 and 32-33 are further rejected over Travis in view of Denny and further in view of Petropoulos. These two alternative interpretations, one based on Emens and one based on Denny, are traversed below as the "Emens Interpretation" and the "Denny Interpretation," respectively.

I. Emens Interpretation

Independent claim 1 recites a method comprising, in part:

> comparing the current search query to a previous search query associated with the content display;

responsive at least in part to the current search query and the previous search query differing by more than a predetermined amount, updating the content display; and

responsive at least in part to the current search query and the previous search query not differing by more than the predetermined amount, not updating the content display.

Thus, the claimed invention specifically recites "comparing the current search query to a previous search query," the previous search query being "associated with the content display." The content display (*e.g.*, a window) is updated "responsive at least in part to the current search query and the previous search query differing by more than a predetermined amount," and not updated "responsive at least in part to the current search query and the previous search query not differing by more than the predetermined amount." Thus, whether or not the content display is updated depends at least in part on whether a previous search query associated with the content display, and a current search query, differ by more than a predetermined amount, with sufficiently large differences tending to cause updating, and small differences tending to lead to refraining from updating. Thus, for example, a current search query that is very similar to the previous search query might mean that the content display is not updated, where a more different current search query would cause an update. Such a technique avoids wastefully or distractingly updating the content display when the current search query is very similar to the previous search query.

Travis discloses blending multiple sets of search results through transforming relevance scores of the results, but as the Examiner correctly notes, is silent regarding the "comparing" element or updating elements discussed above. Thus, the Examiner is obliged to rely on Emens for these elements.

Emens does not disclose "responsive at least in part to the current search query and the

previous search query differing by more than a predetermined amount, updating the content display" and "responsive at least in part to the current search query and the previous search query not differing by more than the predetermined amount, not updating the content display," as claimed, but rather discloses precisely the opposite. More specifically, Emens discloses a method in a computer network for identifying users with similar interests. (Emens, Abstract). Users enter query strings into a user interface such as that of Emens FIG. 4a, the query results being likewise displayed in the user interface as in FIG. 4b. (*Id.*, 5:50-51). If a user then chooses to share, or "publish" the query string and/or query results as in FIG. 4c, then for a given user, a similarity score is computed between that user's query and the published query, with sufficiently similar queries and/or results being displayed in the user interface of FIG. 4d. (*Id.*, 6:7-34).

Thus, Emens discloses that the user interface of a user *U* is updated when (a) the user *U* executes a query (i.e. the query results are shown in area 408 of FIG. 4a), or (b) another user shares his or her query string and/or results, and these query strings and/or results are determined to be sufficiently **similar** to those of the user *U* (i.e. the sufficiently similar query strings and/or query results are shown in areas 410 and 412 of FIG. 4d). Further, it is plain that if query strings and/or query results are not sufficiently similar, then the Emens user interface is not updated. Thus, Emens discloses an updating scheme that is precisely the opposite of the updating elements of the claimed invention—namely, Emens **updates** when queries are **similar** (i.e. do not differ by a predetermined amount) and does **not** update when they are different (i.e. differ by a predetermined amount).

II. Denny Interpretation

As with the Emens interpretation, the Examiner correctly notes that Travis is silent regarding the "comparing" element and the updating elements (i.e., "responsive at least in part to the current search query and the previous search query differing by more than a predetermined amount, updating the content display," and "responsive at least in part to the current search query and the previous search query not differing by more than the predetermined amount, not updating the content display"). Thus, the Examiner relies on Denny to show these elements.

Denny discloses collaborative searching, in which a database stores previously executed queries. (Denny, Abstract). If an entered query is substantially similar to a previously-executed query stored in the database, then an application server returns the results corresponding to the previously-executed query and determines whether the results are acceptable to the user; if no acceptable result is found, then the entered query must be executed on a remote information network in order to obtain query results. (*Id.*, Abstract). This technique increases query-processing speed by using local results for a query substantially similar to a previously-executed query, rather than being obliged to re-execute the query on a remote information network. (*Id.*, 2:51-67).

Thus, Denny displays the stored results corresponding to the entered search query if there is a stored query that is sufficiently similar, and otherwise displays results obtained from executing the query on a remote information network. In either case, results are displayed. Thus, the Denny technique causes updating of its user interface **regardless** of whether the entered query and a previous query are sufficiently similar. That is, the differences between the entered search query and the previously executed query determine only the **source** of the results chosen for updating the display, but not **whether** to do the updating at all. Thus, Denny in no way discloses the claimed updating elements, i.e. "responsive at least in part to the current search

query and the previous search query differing by more than a predetermined amount, updating the content display" and "responsive at least in part to the current search query and the previous search query not differing by more than the predetermined amount, **not updating** the content display."

Thus, Travis fails to disclose or suggest each and every element of the claimed invention, whether in combination with Emens or with Denny.

Independent claim 21 recites "updating the content display responsive at least in part to the current search query and the previous search query differing by more than a predetermined amount, and not updating the content display responsive at least in part to the current search query and the previous search query not differing by more than a predetermined amount." Thus, claim 21 is distinguishable over the cited references for at least the same reasons discussed above with respect to claim 1.

Claim 9 has been amended to recite a method comprising "providing a content display comprising a second article identifier," "responsive at least in part to the first article identifier and the second article identifier being different, updating the content display," and "responsive at least in part to the first article identifier and the second article identifier not being different, not updating the content display." Thus, claim 9 now recites not updating the content display responsive at least in part to the first article identifier and the second article identifier not being different. Additionally, claim 9 recites that the second article identifier which is compared to the first article identifier is comprised by the provided content display. Thus, the content display comprises the second article identifier at the time that the comparison is performed. Cited paragraph 0029 of Travis, in contrast, discloses combining two result sets based on the relevance scores or transformed scores of their respective entries, placing entries at appropriate positions in

the result set depending on their scores. There is no suggestion that one of these results sets is prior to the other, and so is comprised by the content display, as claimed. Rather, the Travis results would naturally be combined without the second article identifier being comprised by the content display. In any case, the combination of the result sets results in an update, and so Travis does not disclose or suggest "responsive at least in part to the first article identifier and the second article identifier not being different, not updating the content display," as claimed.

The remaining claims depend, directly or indirectly, from either independent claims 1 or 21, and thus are distinguishable from Travis, Emens, and Denny for at least the same reasons discussed above with respect to claims 1 and 21. Nor does Petropoulos remedy the deficiencies of Travis, Emens, and Denny. Petropoulus describes a way to display previews of information when a mouse cursor is over a particular region of a display, and is cited specifically as disclosing the use of a mouse pointer in updating a content display. Petropoulos fails to disclose the claimed updating elements, nor does the Examiner allege that it does so. Accordingly, a person of ordinary skill in the art considering the teachings of Travis, Emens, Denny, and Petropoulos, either alone or in combination, would not have found the claimed invention obvious.

Therefore, Applicants respectfully request allowance of this application. Note that Applicants have not substantively amended independent claims 1 or 21. Thus, any subsequent Office Action rejecting claims 1 or 21 based on a new ground of rejection may not be made final. MPEP 706.07(a).

The Examiner is invited to contact the undersigned by telephone to advance the prosecution of this application.

Respectfully submitted,

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